
Appeal Decision

Site visit made on 13 September 2016

by J L Cheesley BA(Hons) DIPTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 20 September 2016

Appeal Ref: APP/J1535/W/16/3153503

Tarrymans, Birds Green, Willingale, Ongar, Essex CM5 0PP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Steve Desborough against the decision of Epping Forest District Council.
 - The application Ref EPF/0551/16 dated 26 February 2016 was refused by notice dated 25 April 2016.
 - The development proposed is the erection of stables and change of use of land for the keeping of horses.
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Decision

1. The appeal is dismissed.

Main Issue

2. I consider the main issue to be whether the proposal amounts to inappropriate development in the Green Belt, and if so, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

Reasons

3. The National Planning Policy Framework explains that the fundamental aim of Green Belt Policy is to prevent urban sprawl by keeping land permanently open and that the essential characteristics of Green Belts are their openness and their permanence. One of the purposes is to safeguard the countryside from encroachment. Policy GB7A in the Epping Forest Local Plan Alterations (2006) is broadly in accordance with the aim and purposes in the Framework.
 4. The Framework explains that the construction of new buildings is inappropriate in the Green Belt. Exceptions to this include *the provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.*
 5. The proposal includes a 13.2 metre x 18 metre L shaped stable block with tack room and hay/bedding store. It would reach a ridge height of some 4.3 metres. This would be an appropriate facility for outdoor equestrian sport/recreation. Nevertheless, in my opinion, the proposed stable block, due to its scale, would introduce a significantly large permanent building to this
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part of the Green Belt, which would not preserve the openness of the Green Belt. Although the building would not be easily readily visible from any public vantage point, visibility is not the same as openness. In my opinion, due to the bulk and massing of the proposed building, I consider it would adversely diminish the sense of openness of this part of the Green Belt. In addition, for the same reasons, I consider that the proposal would conflict with the purpose of safeguarding the countryside from encroachment. Thus, I conclude on this matter that the proposal would constitute inappropriate development, which the Framework states is, by definition, harmful to the Green Belt.

Other Considerations

6. I note that the appeal site has an equestrian history and I note that the previous stables were converted to residential accommodation prior to the current ownership. In addition, I note the personal circumstances with regard to the equestrian achievements of the appellants' daughter. These are material considerations, but it is usually necessary in these situations to find in the wider public interest. I see no exception in this particular instance. Therefore, I have attributed limited weight to these matters in my determination of this appeal.
7. The appellants have stated that the proposal would negate the current need to travel to Epping to attend to horses. However, at the time of my site visit, two temporary stable blocks were present on the appeal site. I note that the appellants have stated that this could be a fall-back position, and has referred to building stables in the rear garden under permitted development rights. Nevertheless, I have attributed these fall back positions limited weight as they would not be equivalent to the proposal before me.
8. I have been provided with details of examples of other stables in the area. I have determined the proposal before me on its individual merits within the circumstance of the location of the appeal site. I have attributed some weight to the examples of other developments in my determination of this appeal.
9. I note that the proposal includes a new hedge line and I note the extent of the existing screening. However, screening the proposal would not alleviate my concerns with regard to openness. Therefore, I have attributed limited weight to this matter in my determination of this appeal.

Conclusion

10. It is necessary to determine whether there are other considerations which clearly outweigh the harm to the Green Belt, hereby justifying the development on the basis of very special circumstances. For the reasons stated above, in my opinion the considerations advanced in support of the development do not clearly outweigh the harm it would cause to the Green Belt. In conclusion, I am of the opinion that there are no material factors that would amount to the very special circumstances needed to clearly outweigh the presumption against inappropriate development in the Green Belt. Therefore, the proposal would be contrary to policy in the Framework and Local Plan Policy GB7A.

J L Cheesley

INSPECTOR